

03680036AA

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/575785

INTERNATIONAL APPLICATION NO.
PCT/JP2005/011331

INTERNATIONAL FILING DATE
21, JUNE 2005

PRIORITY DATE CLAIMED
23 June 2004

TITLE OF INVENTION
SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

APPLICANT(S) FOR DO/EO/US

Kensuke Takahashi; Kenzo Manabe; Nobuyuki Ikarashi; Toru Tatsumi

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☒ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 10px;">10/575785</div>	INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; margin-top: 10px;">PCT/JP2005/011331</div>	ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; margin-top: 10px;">03680036AA</div>
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23. Other items or information:

 Submission of Amended Application including Annotated version of application and clean copy incorporating changes;
 PCT/ib/301; pct/ib/304

	CALCULATIONS	PTO USE												
The following fees have been submitted:														
24. <input checked="" type="checkbox"/> Basic national fee \$300	\$ 300.00													
25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200	\$ 200.00													
26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500	\$ 400.00													
TOTAL OF 24, 25 and 26 =	\$ 900.00													
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Total Sheets</th> <th style="width: 10%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole)</th> <th style="width: 40%;">RATE</th> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">/50 =</td> <td style="text-align: center;">0</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: right;">x \$250.00</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	- 100 =	0	/50 =	0				x \$250.00	\$ 0.00	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE											
- 100 =	0	/50 =	0											
			x \$250.00											
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 10%;">NUMBER FILED</th> <th style="width: 10%;">NUMBER EXTRA</th> <th style="width: 40%;">RATE</th> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">36</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: right;">16 x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">13</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: right;">10 x \$200.00</td> </tr> </table>			CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	36	- 20 =	16 x \$50.00	Independent claims	13	- 3 =	10 x \$200.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE											
Total claims	36	- 20 =	16 x \$50.00											
Independent claims	13	- 3 =	10 x \$200.00											
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00														
TOTAL OF ABOVE CALCULATIONS =		\$ 3,700.00												
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.														
SUBTOTAL =		\$ 3,700.00												
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).														
TOTAL NATIONAL FEE =		\$ 3,700.00												
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +														
TOTAL FEES ENCLOSED =		\$ 3,700.00												
Amount to be		\$												
Amount to be		\$												

10/575785

IAP15 Rec'd PCT/EP 14 APR 2006

PTO-1500 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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- a. ☒ A check in the amount of \$ \$3,700.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2041. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Michael E. Whitham
Whitham, Curtis, Christofferson & Cook, PC
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190

703-787-9400

CUSTOMER NUMBER 30743


SIGNATURE

REG. No 33,138

for Michael E Whitham

NAME

32,635

REGISTRATION NUMBER

April 14, 2006

DATE

10/575785

IAF15 Rec'd PCT/PTO 14 APR 2006

03680036AA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

B. BODERMANN

Serial No.: not yet assigned

Examiner: not yet assigned

Filing Date: concurrently

Group Art Unit: not yet assigned

For: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

SUBMISSION OF AMENDED APPLICATION

Sir:

Attached hereto is an annotated copy and clean copy of the above-identified patent application which has been amended to comply to US practice.

Respectfully submitted,

for Marshall M. Curtis
REG. No. 33,138
Michael E. Whitham
Registration No. 32,635

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DECLARATION

I, Hiroshi AMANO, Patent Attorney, a president of Amano, Watanabe & Associates, Shine-Mita bldg. 5F, 40-4, Shiba 3-chome, Minato-ku, Tokyo, Japan, hereby declare that I am conversant with both Japanese and English languages and that the attached document is a true and exact translation of the claims and the specification of International Application PCT/JP20005/011331.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

Dated: April 7, 2006

A handwritten signature in black ink, appearing to read 'H. I. Amano', is written over a horizontal line.

Hiroshi AMANO